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EXAMINER

HOPKINS, JOHNNY R

ART UNIT	PAPER NUMBER
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2609

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,507

Applicant(s)

SEO ET AL.

Examiner

Johnny R. Hopkins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to the Application filed October 1, 2003.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20, 21, and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20 recites the limitation "plurality" in Line 3. There is insufficient antecedent basis for this limitation in the claim. For continued examination, the examiner will assume that "plurality of main video images" means the "at least one main video image" of Claim 16. However, due to the wording of Claim 20 there is still some doubt as to the examiner's correct interpretation of the Claim.

Claim 21 recites the limitation "the single graphic image file" in Lines 2 - 3. There is insufficient antecedent basis for this limitation in the claim. For continued examination, the examiner will assume that "the single graphic image file" means "at

least one graphic image file" of Claim 16. However, due to the wording of Claim 21 there is still some doubt as to the examiner's correct interpretation of the Claim.

Claim 21 recites the limitation "same group" in Line 3. There is insufficient antecedent basis for this limitation in the claim. For continued examination, the examiner will assume that "same group" means that the "at least one graphic image file containing a graphic image" of Claim 16 does not contain all of the graphic images of the "at least one graphic image file containing a graphic image" that would be linked to the "at least one video image". However, due to the wording of Claim 21 there is still some doubt as to the examiner's correct interpretation of the Claim.

Claim 23 recites the limitation "same group" in Line 4. There is insufficient antecedent basis for this limitation in the claim. For continued examination, the examiner will assume that "same group" means a plurality of graphic images will be linked to a single frame or group of contiguous frames of a main video image. However, due to the wording of Claim 23 there is still some doubt as to the examiner's correct interpretation of the Claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4 - 6, 9, 12 – 14, 16, 19, and 22 - 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al., USPAT 7,096,416, hereafter called Smith, in view of Fernandez et al., USPAT 4,947,257, hereafter called Fernandez.

As to Claim 16, Smith teaches a recording medium, comprising: at least one main video image (Col. 3, Lines 62 – 67); at least one graphic image file containing a graphic image (Col. 3, Lines 62 – 67); and at least one graphic link information file containing information to link the graphic images with the main video images for presenting each main video image with the graphic images (Col. 5, Lines 27 – 35; Col. 5, Lines 46 – 52; Fig. 6A; where the examiner is reading a content definition file as a graphic link information file), wherein the graphic image file and the graphic link information file have been written under a specific directory defined by a file structure of the recording medium or under at least one subdirectory created below the specific directory (Col. 11. Lines 14 – 20; where the examiner is reading a CD-ROM as requiring a specific directory defined by a file structure of the recording medium).

Smith does not teach overlaying the images. The examiner notes that overlaying is a limitation on file contents that relates to use of a file rather than a recording medium. Fernandez teaches a Raster Assembly Processor which will display a multimedia application. Fernandez teaches overlaying images (Col 2, Lines 29 – 32; Fig. 1B; Col. 2, Line 57 – Col. 3, Line 3).

It would have been obvious to one skilled in the art at the time of the invention to have incorporated the overlaying of Fernandez into the teaching of Smith because this will allow a recording medium to record files that when read, processed, and displayed, will produce a display that is easier to view and assimilate than separate viewing windows.

As to Claim 1, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Claim 1 is a method of recording that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 16. Therefore Claim 1 is rejected for all of the reasons given in Claim 16 above.

As to Claim 4, Smith in view of Fernandez teaches all of the limitations of Claims 1 and 16 as shown above. Smith also teaches a piece of said graphic link information associates a single graphic image with a plurality of different main video images (Col. 12, Lines 5 – 13).

As to Claim 5, Smith in view of Fernandez teaches all of the limitations of Claims 1 and 16 as shown above. Smith also teaches a piece of said graphic link information associates a single graphic image with a single main video image (Col. 6, Lines 51 – 53; where the examiner is reading any type of static media file as including a graphic image file that contains a single graphic image).

As to Claim 6, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Claim 6 is a method claim that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 16. Therefore Claim 6 is rejected for all of the reasons given in Claim 16 above.

As to Claim 19, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Smith also teaches the single graphic image file contains the single graphic image (Col. 6, Lines 51 – 53; where the examiner is reading any type of static media file as including a graphic image file that contains a single graphic image).

As to Claim 9, Claim 9 is a method claim that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 19. Therefore Claim 9 is rejected for all of the reasons given in Claim 19 and Claim 6 above.

As to Claim 22, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Smith also teaches the single graphic link information file has been constituted by information to link all of the graphic images to corresponding main video images, respectively (Col. 5, Lines 46 – 52; Fig. 6A).

As to Claim 12, Claim 12 is a method of recording that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 22. Therefore Claim 12 is rejected for all of the reasons given in Claim 22 and Claim 6 above.

As to Claim 13, Claim 13 is a method of recording that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 22. Therefore Claim 13 is rejected for all of the reasons given in Claim 22 and Claim 6 above.

As to Claim 23, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Smith also teaches the single graphic link information file has been constituted by information to link a plurality of the graphic images to corresponding main video images (Col. 8, Lines 29 – 30). Smith does not teach having more than one graphic image file linked to a main video image (where the examiner, as stated in the 35

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USC § 112 rejection of Claim 23 above, is interpreting “same group” as meaning a plurality of graphic images will be linked to a single frame or group of contiguous frames of a main video image).

Fernandez teaches a plurality of graphic images pertaining to the same group to corresponding main video images based on the interpretation of “same group” as stated above (Col. 2, Lines 29 – 32).

Therefore it would be obvious to one skilled in the art at the time of the invention to have incorporated the further teachings of Fernandez into the further teachings of Smith in view of Fernandez to provide more information to the viewer at one time.

As to Claim 14, Claim 14 is a method of recording that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 23. Therefore Claim 14 is rejected for all of the reasons given in Claim 23 and Claim 6 above.

Claims 10, 11, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al., USPAT 7,096,416, hereafter called Smith, in view of Fernandez et al., USPAT 4,947,257, hereafter called Fernandez, and further in view of Parasnis et al., USPAT 6,728,753, hereafter called Parasnis.

As to Claim 20, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Parasnis teaches Presentation Broadcasting, a system and method for broadcasting a presentation where presentation slides are displayed in synchrony with the live presentation. Parasnis also teaches the single graphic image

file contains all of the graphic images to constitute the “at least one main video image” (Quotes indicating an interpretation by the examiner; Col. 3, Lines 60 – 67; Col. 4, Lines 20 - 21; where the examiner is reading one or more HTML files as including a single graphic image file containing all of the graphic images).

It would have been obvious to one skilled in the art at the time of the invention to have incorporated the presentation slide file of Parasnis into the teaching of Smith in view of Fernandez because this will allow a recording medium to record graphic image files that accommodate the presentation concepts of the author.

As to Claim 10, Claim 10 is a method that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 20. Therefore Claim 10 is rejected for all of the reasons given in Claim 20 and Claim 6 above.

As to Claim 11, Claim 11 is a method that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 20. Therefore Claim 10 is rejected for all of the reasons given in Claim 20 and Claim 6 above.

As to Claim 21, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Parasnis also teaches the single graphic image file contains some of the graphic images “to link to the a least one main video image” (Quotes indicating an interpretation by the examiner; Col. 3, Lines 60 – 67; Col. 4, Lines 20 - 21; where the examiner is reading one or more HTML files as including a single graphic image file contains some of the graphic images).

Claims 2, 3, 8, 15, 18, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al., USPAT 7,096,416, hereafter called Smith, in view of Fernandez, USPAT 4,947,257, hereafter called Fernandez and further in view of Ohmori, USPAT 5,687,397, hereafter called Ohmori.

As to Claim 2, Smith in view of Fernandez teaches all of the limitations of Claims 1 and 16 as shown above. The limitations of Claim 2, said plurality of graphic images and graphic link information are grouped based on said main video image, is read by the examiner to mean they are stored in a subdirectory. It is well known in the art to use directories and subdirectories for the management of files. Ohmori teaches a System for Expansion of Data Storage Medium to Store User Data in which he uses a conventional MO disc for a recording. Ohmori teaches the use of a root directory and a child directory (Col. 1, Lines 47 – 60).

It would have been obvious to one skilled in the art at the time of the invention to have incorporated the directory structure of Ohmori into the recording medium of Smith in view of Fernandez to have a recording medium wherein the specific directory is a child directory of a root one because it is easier to manage files when they are saved in controlled locations.

As to Claim 3, Smith in view of Fernandez teaches all of the limitations of Claims 1 and 16 as shown above. The limitations of Claim 3, said plurality of graphic images and graphic link information are grouped based on a title or a playlist of the recording medium, is read by the examiner to mean they are stored in a subdirectory. It is well

known in the art to use directories and subdirectories for the management of files.

Ohmori teaches a System for Expansion of Data Storage Medium to Store User Data in which he uses a conventional MO disc for a recording. Ohmori teaches the use of a root directory and a child directory (Col. 1, Lines 47 – 60).

As to Claim 18, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Further, it is well known in the art to use directories and subdirectories for the management of files. Ohmori teaches a System for Expansion of Data Storage Medium to Store User Data in which he uses a conventional MO disc for a recording medium. Ohmori teaches the use of a root directory and a child directory (Col. 1, Lines 47 – 60).

As to Claim 8, Claim 8 is a method claim that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 18. Therefore Claim 8 is rejected for all of the reasons given in Claim 18 and Claim 6 above.

As to Claim 24, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. The limitations of Claim 24, the graphic images have been grouped based on a title or a playlist which they pertain to, is read by the examiner to mean they are stored in a subdirectory. As stated above, it is well known in the art to use directories and subdirectories for the management of files.

As to Claim 15, Claim 15 is a method that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 24. Therefore, Claim 15 is rejected for all of the reasons given for Claim 24 and Claim 6 above.

Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al., USPAT 7,096,416, hereafter called Smith, in view of Fernandez et al., USPAT 4,947,257, hereafter called Fernandez, and further in view of Ohmori, USPAT 5,687,397, hereafter called Ohmori, and Russ, USPAT 5,446,857, hereafter called Russ.

As to Claim 17, Smith in view of Fernandez teaches all of the limitations of Claim 16 as shown above. Further, it is well known in the art to use directories and subdirectories for the management of files. Ohmori teaches a System for Expansion of Data Storage Medium to Store User Data in which he uses a conventional MO disc for a recording medium. Ohmori teaches the use of a root directory and a child directory (Col. 1, Lines 47 – 60).

It would have been obvious to one skilled in the art at the time of the invention to have incorporated the directory structure of Ohmori into the recording medium of Smith in view of Fernandez to have a recording medium wherein the specific directory is a child directory of a root one because it is easier to manage files when they are saved in controlled locations.

Further as to Claim 17, it is also well known in the art to use a read-only directory. Russ teaches a Method and Apparatus for Writing Files on Nonerasable Storage Medium where he uses a recording medium to create an ISO 9660 disc. Russ teaches a read-only directory (Col. 7, Lines 53 – 55).

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It would have been obvious to one skilled in the art at the time of the invention to have incorporated the read-only directory of Russ into the recording medium of Smith in view of Fernandez and further in view of Ohmori to have a recording medium where the specific directory has a name indicative of 'read-only' because read-only protects files from being overwritten in subsequent operations.

As to Claim 7, Claim 7 is a method claim that Smith can perform (Col. 11, Lines 14 – 20) on the recording medium of Claim 17 above. Therefore Claim 7 is rejected for all of the reasons given in Claim 17 and Claim 6 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny R. Hopkins whose telephone number is (571) 270-1552. The examiner can normally be reached on M-Th (6:45 AM - 5:15 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571) 272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Johnny R. Hopkewell
4/27/2007

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